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4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**
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7 JOHNNY NATIVIDAD MACIAS,

8 Plaintiff,

9 v.

10 G4S SOLUTIONS, USA,

11 Defendant.

Case No. 2:13-cv-01772-LDG-NJK

ORDER

12 Plaintiff Johnny Natividad Macias proceeds in this action *pro se*. Plaintiff filed his
13 Complaint (#1) on September 27, 2013. On October 2, 2013, Magistrate Judge Koppe
14 granted Plaintiff's motion to proceed *in forma pauperis*. She also dismissed the Complaint
15 for failing to state a claim, and allowed Plaintiff thirty days in which to file an Amended
16 Complaint (#2). Plaintiff failed to timely amend the Complaint, and on November 5, 2013,
17 Magistrate Judge Koppe entered a report recommending that the Complaint be dismissed
18 for failure to comply with her previous order (#4).


19 In his objections to the report and recommendation, Plaintiff contends that he did not
20 receive the October 2, 2013, order, and therefore, the Complaint should not be dismissed
21 (#5). The Court notes that Magistrate Judge Koppe's order dismissing the Complaint was
22 sound, and that she appropriately recommended dismissal after the deadline for
23 amendment had passed. However, in the interest of allowing Plaintiff the opportunity to
24 amend his Complaint, see *Noll v. Carlson*, 809 F.2d 1446, 1448 (9th Cir. 1987) ("[L]iberality
25 in amendments to pleadings is particularly important for the *pro se* litigant"), and the
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1 magistrate judge the opportunity to consider any such amendment, the Court will grant
2 Plaintiff additional time to amend. Accordingly,

3 THE COURT **ORDERS** that Plaintiff will have until September 19, 2014, in which to
4 file an Amended Complaint curing the deficiencies noted in Magistrate Judge Koppe's
5 October 2, 2013, order. The Court informs Plaintiff that an Amended Complaint supersedes
6 the Original Complaint, and a Court cannot refer to the Original in order to complete the
7 Amended Complaint. See *Loux v. Rhay*, 375 F.2d 55, 57 (9th Cir. 1967); LR 15-1
8 (requiring that an Amended Complaint be complete in itself without reference to any prior
9 pleading). Failure to comply with this Order will result in the dismissal of this case.

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12 DATED this 5th day of September, 2014.

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Lloyd D. George
United States District Judge